

REMARKS

Claims 1, 3-8, 10-29, 31-48, 123, 124, 126-128, 130-132, 135-148 and 151-154 were pending in the present application. Claim 23 has been amended to delete the duplicate mention of the word "and". No new matter has been added to the claims. Reexamination and reconsideration are requested in light of the accompanying amendment and remarks.

Claims 1, 3-8, 10-29, 31-48, 123, 124, 126-128, 130-132, 135-148 and 151-154 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-103 of copending Application No. 10/037576. Accordingly, applicants are submitting herewith a properly executed terminal disclaimer in compliance with 37 CFR 1.32(c) which is believed to overcome the rejection.

With the submission of the terminal disclaimer, applicants submit that the application is in condition for allowance. Early notification of allowance is respectfully requested.

Applicants note that claims in co-pending Application Serial No. 10/037,576, filed January 4, 2002, entitled Non-Toxic Corrosion-Protection Pigments Based On Cobalt were rejected in an office action mailed March 20, 2007. Various claims were rejected under 35 U.S.C. § 102(b) and 103(a) over one or more of Applicants' Admissions, Desmond (U.S. Patent No. 4,564,511), Chemical Abstracts Registry 100687-47-6 or 246459-53-7, Takahashi (U.S. Patent No. 5,188,993), Swiler (U.S. Patent No. 6,582,814), Schapira (U.S. Patent No. 6,068,709), EP 0 488 430 (Schriever 430), and EP 0 523 288 (Schriever 288). Applicants filed an Amendment in response on June 20, 2007. These references were cited in the present application in Information Disclosure Statements filed on March 29, 2002, and April 17, 2007.

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If the Examiner has any questions or comments regarding the present application, he is invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,
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Encl.